

Stasyuk O. Administrative and legal support of activities of judicial authorities in the sphere of realization human rights in Ukraine

The article is devoted to the study of administrative and legal support for the implementation of the human rights function by the judicial authorities. It was emphasized that one of the main functions of the judicial authorities is to protect the rights, freedoms and legitimate interests of a person and a citizen, which is implemented in the form of administering justice.

Attention is drawn to the fact that some scholars consider the human rights function of the judiciary within the framework of law enforcement. It is argued that human rights and law enforcement functions are two separate functions of the judicial authorities. The decisive factor in resolving this issue is the delineation of such categories as «protection» and «protection», since they are applied in the same sense of human rights and law enforcement functions. The protection can be considered as a system of legally established material legal guarantees, as well as the activities of authorized bodies for their implementation in order prevent the violation of the rules of the current legislation. In turn, the protection of rights is a set of measures of an organizational and legal nature implemented by the competent state bodies and organizations to which such a right is provided by the current legislation within the legal process (legal procedures) in order to restore the violated right, eliminate obstacles in its implementation, eliminate a real threat of violation of subjective rights by unlawful actions, as well as for the purpose of applying to the offender measures of legal coercion.

The essence of administrative and legal support of judicial authorities in the sphere of realization of human rights protection functions of the state is revealed. The legal problems of administrative and legal regulation of the activity of the judicial authorities concerning the protection of rights, freedoms and legitimate interests of a person and a citizen are presented, and the ways of their solution are formulated. It is stated that the state of administrative and legal support of the activity of the judicial authorities in realizing the human rights protection function of the state is far from ideal. Lack of guarantees of independence of the judicial authorities, political dependence, abuse, corruptions are those factors that lead to ineffective implementation of the human rights protection function of the state. In order effectively implement the human rights protection functions of the state, it is necessary to eliminate the existing problems of the judicial system and to improve the current administrative and legal support of the activities of the judicial authorities.

Key words: human rights protection function, administrative-legal support, judicial authorities, judicial system, rights and freedoms of man and citizen, state.